

**REMARKS**

Reconsideration of the present application in light of the amendments above and the remarks below is respectfully requested.

Applicants thank the Examiner for considering the amendments and remarks in Applicants' response mailed on September 15, 2004, and for allowing Claims 12-20. Applicants further thank the Examiner for the indication of allowability of Claims 26 and 33, subject to the 35 U.S.C. §112 issues outlined in the Office Action and to their re-writing in independent form.

In the forgoing Amendments, Claims 21-25, 27-30 and 32 are amended and Claims 26 and 33 are canceled without prejudice to or disclaimer of the subject matter therein. Support for these amendments can be found in the specification and claims of the application as filed. No new matter has been added by these amendments. Claims 12-25 and 27-32 remain pending in this application.

**The 35 U.S.C. § 112, First Paragraph Rejection**

Claims 21-33 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action asserts that the specification of the application does not support the term "manipulandum". Applicants respectfully disagree. Applicants submit that the specification as filed is sufficient to support the term manipulandum. The Office Action interprets the term manipulandum as "an item the user manipulates," which is supported by the specification. Nevertheless, Applicants have amended the Claims 21-25, 27-30 and 32 to overcome the rejection. Accordingly, Applicants respectfully request that the rejection be withdrawn.

### **The 35 U.S.C. § 102 Rejection**

Claims 21-25 and 27-32 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 4,423,428 to Kuwabara et al. (“Kuwabara”). Without admitting that Kuwabara is prior art and reserving the right to establish that it is not prior art, Applicants respectfully submit that this rejection is traversed for the reasons below.

To expedite the allowance of the present invention, Applicants have amended independent Claim 21 to incorporate the subject matter of Claim 26, which has been indicated as being allowable. Accordingly, Claim 21 is in the condition for allowance. If an independent claim is valid, the claims that depend from the independent claim should also be valid as matter of law. See Jenric/Pentron, Inc. v. Dillon Co., 205 F. 3d 1377, 1382 (Fed. Cir. 2000). Since Claims 22-25 and 27-28 depend from Claim 21, Claims 22-25 and 27-28 should also be allowable.

Similarly, independent Claim 29 has been amended to incorporate the subject matter of Claim 33, which has been indicated as being allowable. Thus, the amended Claim 29 is also in the condition for allowance. Since Claims 30-32 depend from Claim 29, Claims 30-32 should also be allowable.

### **Allowable Subject Matter**

Applicants appreciate the Examiner’s indication of allowable subject matter in the application. A statement of reasons for allowable subject matter was set forth by the Examiner. While the Applicants agree that Claims 12-20 are allowable for at least the reasons set forth in the Examiner’s statement, Applicants submit that the invention as recited by the claims and as described in the present application is patentable over the art of record for reasons in addition to

those listed in the Examiner's statement. For example, Applicants note that the Examiner's statement addresses only to independent Claim 12. The dependent claims contain recitations in addition to those stated by the Examiner that provide additional bases for patentability over the art of record. Accordingly, Applicants reserve the right to pursue claims of different scope than those in the present application. For example, such claims may not necessarily need to include the elements identified in the Examiner's statement. Applicants further note that the Examiner's statement is directed only to claims 12-20 and the indication of allowable subject matter in Claims 26 and 33 is unrelated to the Examiner's statement.

#### Request for Entry of Amendment

Entry of this Amendment will place the Application in better condition for allowance, or at the least, narrow any issues for an appeal. Accordingly, entry of this Amendment is appropriate and is respectfully requested.

#### Conclusion

Based on all of the above, Applicant believes all claims now pending in the present application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

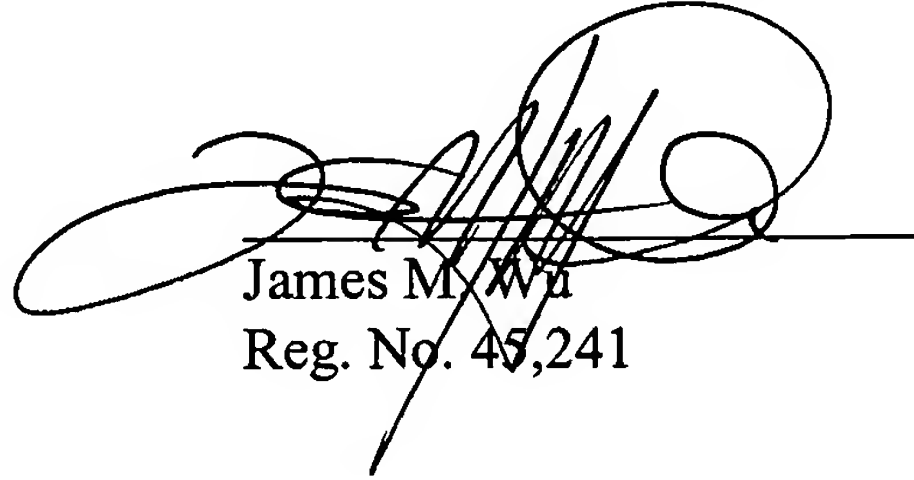
No additional fees are believed to be due at this time. However, please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Applicants thank the Examiner for carefully examining the present application and if a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Jim Wu at (408)282-1885.

Respectfully submitted,

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